IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE THIRTY FIRST DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 22469 of 2004

Between:

P. Nanda Gopa, S/o. P. Rama Murty,
A.P.S.R.T.C., R/o. 16-9-809, Old Malakpet, Opp. Water Pump House, Hyderabad.

..... PETITIONER

AND

1 Andhra Pradesh State Road Transport Corporation, Represented by its Vice

Chairman & Managing Director
Musheerabad, Hyderabad.
2 Director (Vigilance & Security), A.P.S.R.T.C., Musheerabad, Hyderabad.
3 Asst Director (Vigilance & Security), A.P.S.R.T.C., Vizianagaram Zone,

Vizianagaram.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an order direction or writ particularly one in the nature of writ of Mandamus or any other appropriate writ (i) declaring the proceedings No. Sd.1/255(9)/2004-P.O.II dated 04-09-2004 issued by the Director, Vigilance & Security as illegal and arbitrary; (ii) declaring the proceedings No.SD1/255(9)/2004-PO-II dated 09-10-2004 of the Vice Chairman & Managing Director rejecting the request of the petitioner is illegal and arbitrary; and (iii) consequently direct the respondents to retain the petitioner as Chief Security Inspector at Hyderabad by setting aside the proceedings No. Sd.1/255(9)/2004-P.O.II dated 4-9-2004 including the proceedings No. SD.1/255(9)/2004-P.O.II dated 9-10-2004.

Counsel for the Petitioner: MR.G.VIDYASAGAR

Counsel for the Respondents: MR.V.T.M.PRASAD (S.C. for APSRTC).

The Court made the following :

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THE HON'BLE SRI JUSTICE K.C.BHANU

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WRIT PETITION NO.22469 OF 2004

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ORDER:

The Writ Petition is filed challenging the proceedings dated 04-09-2004 issued by the 2nd respondent.

The learned Counsel for the petitioner contended that he was promoted as Chief Security Inspector vide proceedings dated 12-06-2004 and on promotion he was posted at Vigilance & Security Office, Hyderabad Zone Office. But, immediately after three months he was issued with proceedings dated 04-09-2004 transferring him to Vijianagaram Zone. Since the petitioner is having only seven months of service, posting him to Vijianagaram is unjust and arbitrary.

On the other hand the learned Counsel for the respondents contended that it is purely an administrative transfer and there are no grounds to interfere with the same.

There cannot be any dispute that transfer is not only incidence of service, but also one of the service conditions. No doubt, the petitioner was transferred to Hyderabad very recently, but at the same time due to administrative reasons the petitioner was transferred to Vijianagaram along with the sanctioned post. The contention that the petitioner is only having seven months of service cannot be a reasonable ground to declare the impugned proceedings as illegal. It is not a case of transferring the Writ Petitioner in violation of law and statutory rules.

Hence, the Writ Petition is devoid of merits and accordingly dismissed at the stage of admission. No costs.

K.C.BHANU, J.

Dated 31-12-2004.

SKMR

.,m.

To

1 Vice Chairman & Managing Director, Andhra Pradesh State Road Transport

Corporation, Musheerabad, Hyderabad.
2 Director (Vigilance & Security), A.P.S.R.T.C., Musheerabad, Hyderabad.
3 Asst Director (Vigilance & Security), A.P.S.R.T.C., Vizianagaram Zone,

Vizianagaram.

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